

SENATE BILL NO. 3

INTRODUCED BY S. KITZENBERG

A BILL FOR AN ACT ENTITLED: "AN ACT DIRECTING THE DEPARTMENT OF TRANSPORTATION TO CONSTRUCT A FOUR-LANE HIGHWAY GENERALLY ALONG THE PRESENT ROUTE OF U.S. HIGHWAY 2; NOTIFYING THE TRIBAL GOVERNMENTS ON THE FORT PECK, FORT BELKNAP, ~~AND~~ BLACKFEET, AND FLATHEAD INDIAN RESERVATIONS; AMENDING SECTION 60-2-110, MCA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. U.S. highway 2 -- PLANNING -- FUNDING. (1) The commission shall direct the department to construct a four-lane highway GENERALLY along the PRESENT route of U.S. highway 2 from the North Dakota border to the Idaho border in order to increase tourism and to bring economic development to Montana. PLANNING FOR THE U.S. HIGHWAY 2 PROJECT MUST BE INCLUDED IN ANY FUTURE FISCAL PLAN DEVELOPED BY THE DEPARTMENT.

(2) THE DEPARTMENT SHALL SEEK ADDITIONAL FEDERAL FUNDING THAT DOES NOT REQUIRE A STATE FUNDING MATCH FOR THE U.S. HIGHWAY 2 PROJECT.

(3) THE DEPARTMENT MAY NOT EXPEND ANY RESOURCES ON THE U.S. HIGHWAY 2 PROJECT THAT WOULD JEOPARDIZE ANY FUTURE HIGHWAY PROJECTS.

Section 2. Section 60-2-110, MCA, is amended to read:

"60-2-110. Setting priorities and selecting projects. (1) ~~The~~ Except as provided in [section 1], the commission shall establish priorities and select and designate segments for construction and reconstruction on the national highway system, the primary highway system, the secondary highway system, the urban highway system, and state highways.

(2) The commission shall consult with the board of county commissioners of the county in which a highway is located when establishing priorities and when selecting and designating segments on the secondary highway system for construction and reconstruction.

(3) The commission shall consult with the appropriate local government authorities when

1 establishing priorities and selecting and designating segments on the urban highway system for
2 construction and reconstruction.

3 (4) The commission shall use information gathered or discovered by and documents prepared by
4 the department, and department officials and employees shall provide assistance and advice.

5 (5) The commission shall establish and determine priorities and projects for rail and transit
6 programs and, to the extent possible, coordinate intermodal transportation within the state.

7 (6) In carrying out the requirements of this section, the department shall:

8 (a) make recommendations to the commission;

9 (b) establish the requirements and procedures for administering this section; and

10 (c) take all reasonable steps to ensure the integrity and viability of agricultural and rural
11 transportation and related needs."

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13 NEW SECTION. **Section 3. Notification to tribal governments.** The secretary of state shall send
14 a copy of [this act] to each tribal government located on the Fort Peck reservation, the Fort Belknap
15 reservation, ~~and~~ the Blackfeet reservation, AND THE FLATHEAD RESERVATION.

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17 NEW SECTION. **Section 4. Codification instruction.** [Section 1] is intended to be codified as an
18 integral part of Title 60, chapter 2, part 1, and the provisions of Title 60, chapter 2, part 1, apply to
19 [section 1].

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21 NEW SECTION. **Section 5. Effective date.** [This act] is effective July 1, 2001.

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